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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,938	10/15/2001	Tetsuro Motoyama	205850US-2	2679

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EXAMINER

ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,938

Applicant(s)

MOTOYAMA ET AL.

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 15 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 – 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4. Claims 1, 3, 5 and 9 recite the newly added limitation of “wherein fields in the data structure are different depending on the message type designation”. There is no teachings found in the Applicant’s specification that would leave one of ordinary skill in the art to come up with such a limitation, more specifically there are no teachings of “fields” in the application, let alone, “wherein fields in the data structure are different depending on the message type designation”. Applicant is asked to amend the limitation or show where this limitation is taught in the specification and drawings.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekizawa (6430711) in view of Smith et al. (6785015) (hereinafter Smith).

7. As per claim 5, as closely interpreted by the Examiner, Sekizawa teaches a system for remotely monitoring a device, the system including:

8. B) a data retriever, the data retriever including:

9. i) a data retriever class, (e.g. col. 7, lines 1 – 7, “*electronic mail reception means*”),

10. ii) an email processor, (e.g., col. 25, lines 28 – 67, “*CPU 30*”), and

11. iii) a parser, (e.g. col. 7, lines 1 – 7, “*extraction means*”);

12. a method of receiving information concerning the remotely monitored device, the information being contained in a message that also includes a message type designation, (e.g., col. 25, lines 28 – 67, col. 30, lines 35 – 63),

13. d) the receiver manager class determining a data structure definition based on the extracted message type designation and passing the data structure definition to the data retriever class, (e.g., col. 30, lines 35 – 63 & col. 32, lines 25 – 57); and

14. e) the data retriever class invoking a function in the parser to extract a data type and a data value from the second line and store the extracted data value in a data structure of the

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determined data structure type at a location in a memory corresponding to the extracted data type, wherein fields in the data structure are different depending on the message type designation, (e.g., col. 25, lines 28 – 67, col. 30, lines 35 – 63).

15. Sekizawa does not specifically teach a receiver manager class;
16. a) the data retriever class invoking a function in the email processor to read a first line and to read a second line from the message;
17. b) the data retriever class invoking a function in the parser to parse the first line of the message to extract the message type designation, wherein the first line is the first line in the message; and
18. c) the data retriever class returning the extracted message type designation to the receiver manager class;
19. Smith teaches a receiver manager class, (e.g., col. 15, lines 5 – 30); and
20. a method of receiving information concerning the remotely monitored device, the information being contained in a message that also includes a message type designation, the method comprising:
 21. a) the data retriever class invoking a function in the email processor to read a first line and to read a second line from the message, (e.g., col. 13, lines 41 – 58 & col. 14, lines 10 – 54);
 22. b) the data retriever class invoking a function in the parser to parse the first line of the message to extract the message type designation, wherein the first line is the first line in the message, (e.g., col. 13, lines 41 – 58 & col. 14, lines 10 – 54);
 23. c) the data retriever class returning the extracted message type designation to the receiver manager class, (e.g., col. 13, lines 41 – 58 & col. 14, lines 10 – 54). It would have been obvious

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to one of ordinary skill in the art at the time the invention was made to combine Smith with Sekizawa because by providing email send and receive capability in the peripheral, requests for subscriptions and publications of status reports are communicated in a manner that is efficient in terms of system resources and in terms of interacting with personnel. This could also aid in monitoring status, for obtaining notice of changes in status, and for reconfiguration all from any station of a network.

24. As per claim 6, as closely interpreted by the Examiner, Sekizawa teaches the message is included in an email message received by a Post Office Protocol 3 (POP3) server, (e.g. col. 19, lines 15 – 35); and

25. the email processor includes functions to interface to the POP3 server, (e.g. col. 19, lines 15 – 35).

26. As per claim 7, as closely interpreted by the Examiner, Sekizawa does not specifically teach the message is included in an attachment to the email. Smith teaches the message is included in an attachment to the email, (e.g. col. 12, lines 39 – 58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Smith with Sekizawa because the email attachments could contain peripheral software updates or installs, and JAVA class updates in which could fix errors in the peripheral device.

27. As per claim 8, as closely interpreted by the Examiner, Sekizawa does not specifically teach the attachment is a Multipurpose Internet Mail Extensions (MIME) attachment. Smith

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teaches the attachment is a Multipurpose Internet Mail Extensions (MIME) attachment, (e.g. col. 12, lines 39 – 58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Smith with Sekizawa because MIME enables them to send and receive formatted non-ASCII messages similar to graphics, audio, and video files such as GIF graphics files and PostScript files via the Internet mail system. In addition, MIME supports messages in character sets other than ASCII.

28. As per claim 14, as closely interpreted by the Examiner, Sekizawa teaches the message is transmitted over the Internet using an Internet email protocol, (e.g. col. 19, lines 15 – 35).

29. Claims 1 – 4 and 9 – 15 are rejected for similar reasons as stated above.

Response to Arguments

30. Applicant's arguments with respect to claims 1 – 15 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendments and a new claim.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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32. a. Motoyama et al. U.S. Patent No. 6839717 discloses Method and system of remote monitoring and support of devices, extracting data from different types of email messages, and storing data according to data structures determined by the message types.

33. b. Motoyama U.S. Patent No. 6473812 discloses System using internet email for communicating status information from business office printing device when it is in normal operating condition.

34. c. Hickman et al. U.S. Patent No. 4082439 discloses System and method for electronic message notification.

35. d. Friedman et al. U.S. Patent No. 6965912 discloses Method and apparatus for distribution of greeting cards with electronic commerce transaction.

36. e. Ankireddipally et al. U.S. Patent No. 6772216 discloses Interaction protocol for managing cross company processes among network-distributed applications.

37. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David E. England
Examiner
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